

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE:** : Chapter 13  
**Sloan, Bruce T.**  
**Sloan, Lisa A.**  
**Debtors/ Respondents : 15-15104 mdc**

**Answer to Motion of  
For Relief from Automatic Stay**

Debtors, Bruce and Lisa A. Sloan by and through their undersigned attorney, hereby provides the following answers to the Motion for Relief from Stay filed . These responses are made without prejudice to debtor's right to present additional facts or contentions at trial based upon information hereinafter obtained or evaluated. Debtors specifically reserve the right to supplement or amend their responses or present additional facts and contentions at a later date to any of the answers given.

1. Denied. The averments contained in this Paragraph consist of mischaracterization or summarization of documents that speak for themselves and they are denied as no response is required.

2. Denied. The averments contained in this Paragraph consist of mischaracterization or summarization of documents that speak for themselves and they are denied as no response is required. To the extent an answer may be appropriate, the allegations are denied, and the debtor aver, on the contrary, that is is Debtors' understanding that Aurora Financial Group, Inc is the mortgage holder and Movant is a mortgage servicer. A mortgage servicing company with no beneficial interest in the underlying mortgage does not have standing to file a motion for relief from the stay. See *In re Morgan*, 225 B.R. 290(Bankr.E.D.N.Y.1998), *vacated on other grounds sub nom. In re Nunez*, 2000 WL 655983 (E.D.N.Y. Mar. 17, 2000).

3. Admitted.

4. Denied as stated. The filing of a bankruptcy petition immediately puts into effect the automatic stay, which prevents creditors from taking any further actions against the debtor or the debtors' property with respect to claims arising prior to commencement of the case. See 11 U.S.C. Section 362. By way of further answer, the allegation contained herein are directed to a party other than the answering debtors, and they are denied as no response is required. Proof thereof is demanded.

5. Denied. Proof thereof is demanded.

6. (a) & (b). Denied. These allegations are legal conclusions of law to which no answer is required.

7. Denied. Any request for costs and legal fees in excess of \$400, is excessive. The pleading in this motion for relief is identical and/or similar, with other motions for relief filed which request only \$400 for legal fees and costs. There is no stated or apparent reason or justification for any higher request. See In Re: B & K Brady Bk No. 03-18198 DWS (Request \$400) or In Re: E.Frisby Bk. No. 03-31127 DWS (Request \$400).

For the reasons set forth above, among others, and based on this Court's authority under the Bankruptcy Code, the Debtors pray that the motion be denied, and such other relief as is just and proper. The Debtors specifically reserves the right to supplement the answer at or prior to the hearing thereon.

Dated: December 22, 2016

"/s/" Mitchell J. Prince  
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